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17
18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN JOSE DIVISION

21 COALITION FOR ICANN
TRANSPARENCY INC., a Delaware
22 corporation,

23 Plaintiff,

24 v.

25 VERISIGN, INC., a Delaware corporation;
INTERNET CORPORATION FOR
26 ASSIGNED NAMES AND NUMBERS, a
California corporation,

27 Defendants.
28

) Case No. 5:05-CV-04826 (RMW) PVT

) SUPPLEMENTAL JOINT CASE
) MANAGEMENT CONFERENCE
) STATEMENT AND
) FED. R. CIV. P. 26(f) REPORT

) Honorable Ronald M. Whyte

) Case Mgmt. Conf. Date: May 5, 2006
) Case Mgmt. Conf. Time: 10:30 a.m.

1 Pursuant to the Court's Order of April 28, 2006, plaintiff Coalition for ICANN
2 Transparency Inc. ("CFIT") and defendants VeriSign, Inc. ("VeriSign") and Internet Corporation
3 for Assigned Names and Numbers ("ICANN") hereby submit their Supplemental Case Management
4 Conference Statement and Rule 26(f) Report.

5 **I. BACKGROUND**

6 The parties appeared before the Court on April 28, 2006 for a scheduled case management
7 conference. During that conference, the Court directed the parties to revisit their respective
8 positions on certain issues, including the timing of discovery and the pretrial schedule, and asked
9 the parties to submit a supplemental joint report by May 3, 2006. The Court also scheduled a
10 follow up case management conference for May 5, 2006.

11 On May 2 and 3, 2006, the parties conducted telephone conferences to discuss the above-
12 listed issues and were able to reach the following agreements with respect to the timing of discovery
13 and the proposed pretrial schedule.

14 **II. PROPOSED PRETRIAL SCHEDULE**

15 Defendants originally requested that discovery in this action be stayed pending the
16 resolution of the their potentially dispositive motions to dismiss. Alternatively, the defendants
17 requested that discovery be bifurcated to allow the parties to conduct a limited round of discovery
18 focused solely on the threshold issue of standing before commencing on complex and extensive
19 merits-based discovery. Plaintiff, on the other hand, requested that discovery be conducted on a
20 regular schedule and opposed defendants' alternative requests for stay and bifurcation. At the
21 Court's request, the parties met and conferred a second time to discuss the timing of discovery and
22 were able to reach the following compromise. The parties have agreed that either side may
23 commence fact discovery immediately, but that no responses to such discovery will become due
24 prior to June 23, 2006 (14 days after the hearing on defendants' motions to dismiss).

1 The parties further agreed upon the following schedule of proposed pretrial and trial dates:

| | |
|---|------------------|
| 2 Deadline to file motion to add parties or amend pleadings | October 13, 2006 |
| 3 | |
| 4 Completion of all fact discovery | March 1, 2007 |
| 5 Deadline to file any fact discovery motions | March 6, 2007 |
| 6 Exchange expert disclosures/reports | March 30, 2007 |
| 7 Exchange rebuttal expert disclosures/reports | May 3, 2007 |
| 8 Completion of all expert discovery | June 8, 2007 |
| 9 Deadline to file any expert discovery motions | June 19, 2007 |
| 10 | |
| 11 Deadline for completion of ADR process | July 14, 2006 |
| 12 Deadline for filing summary judgment motions | July 27, 2007 |
| 13 Final Pretrial Conference | November 1, 2007 |
| 14 Trial | December 3, 2007 |

15 Finally, the parties agreed that approximately October, 2006 would be an appropriate time
16 for a mediation of this dispute.

17 The above stipulations are made without prejudice to any party’s right to move for expedited
18 discovery upon an appropriate showing.

19
20 DATED : May 3, 2006

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23 By: /s/
24 Ronald L. Johnston
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1 DATED: May 3, 2006

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7 DATED: May 3, 2006

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